

REMARKS

Please reconsider this application in view of the above amendments and the following remarks.

- Claims 1-6, 8, and 34 are pending.
- Claims 1-6, 8, and 34 are rejected.
- Claims 7 is canceled.
- Claims 9-33 are withdrawn.

Applicants have amended Claim 1.

Rejections based on 35 USC § 103(a)

The Examiner has rejected Claims 1-3, 6, 8, and 34 under 35 USC § 103(a) as being unpatentable over Aida (US 6,235,099).

But Aida fails to teach or make obvious that the particles are precipitated, as recited in amended Claim 1. To the contrary, Aida teaches that its pigment particles are finely milled.

Therefore, the Examiner has not stated a prima facie case of obviousness for all of the limitations of Claim 1.

The remaining Claims 2-3, 6, 8, and 34 all ultimately depend from Claim 1 and are patentable over the cited reference for at least the same reasons as discussed above for Claim 1. Since the Examiner has not made out a prima facie case of obviousness for Claims 2-3, 6, 8, and 34, Applicant is under no duty to address the rejection of those claims. But Applicant does not acquiesce to the Examiner's characterization of the Aida reference vis-a-vis these claims and reserves the right to address these claims individually should a duty to do so arise in the future.

PATENT  
Attorney Docket No.: 56232.13

Please remove these rejections of Claim 1-3, 6, 8, and 34.

Since all claims are in a condition for allowance, please issue a Notice of Allowability so stating. If I can be of any help, please contact me.

Respectfully submitted,



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Date: September 3, 2004

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